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09/073,748	05/06/1998	CRAIG DAVID WEISSMAN	20308.702	1160

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Paper No. 26

Application Number: 09/073,748
Filing Date: May 06, 1998
Appellant(s): WEISSMAN ET AL.

Smith, S. Jeffery, Reg. #39,377

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 07/20/03.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 133-134, 136, 141-142, 144-147, 149-150, 152-155, and 157-165 Group I and Claims 135, 140, 143, 148, 151, and 156 Group II stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

6,128,624	PAPIERNIAK et al	10-2000
5,721,903	ANAND et al	02-1998

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 133-165 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 5,721,903) Anand et al, hereafter Anand in view of (US 6,128,624) Papierniak et al, hereafter Papierniak.

With respect to claims 133, 141,149, and 163, Anand teaches, providing a metadata system that includes a metadata schema, a facility for entering instructions into the metadata schema, and a facility for manipulating the metadata schema (col. 1, lines 5-19 and lines 38-46, col. 3, lines 59-62, and col. 15, lines 44-48); receiving instructions from a user, the instructions are entered into the metadata schema and are used to create a business database system (col. 1, lines 27-62, col. 2, lines 1-16, and col. 4; lines 4-12 and lines 23-28); and automatically generating the business database system according to the instructions contained in the metadata schema such that the business database system is well-formed (col. 4, lines 29-50). Anand teaches all of the claim limitations of claims 133, 141, and 149 except a business database system.

Papierniak discloses a business database system (col. 5, lines 39-59, col. 15, lines 11-25, col. 17, lines 52-65, fig. 8 (302, 312) and fig. 9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a business database and to combine Anand's metadata system with Papierniak's business database system and to modify in Anand in view of his teachings of a data warehouse because such a modification would allow Anand to store large amounts of

transaction-level data for later analysis and to have the ability to seek a competitive edge in business.

With respect to claim 141, Anand teaches, a computer (col. 2, lines 21-25); a processor (col. 5, lines 64-67 and col. 6, lines 1-4); and a computer program stored in memory and executed by the processor including the computer program with instructions (col. 5, lines 50-62).

With respect to claim 149, Anand teaches, a computer readable storage medium encoded with software instructions (col. 5, lines 60-62).

With respect to claims 134, 142, and 150, Anand teaches, automatically generating tables according to the instructions (col. 11, lines 28-40). Papierniak discloses automatically generating tables according to the instructions (col. 21, lines 39-67, col.24, lines 5-67, and col. 25, lines 1-10).

With respect to claims 135, 143, and 151, Anand teaches, extracting data from sources specified in the instructions (col. 11, lines 28-40); loading the data into staging tables (col. 10, lines 30-37, col. 11, lines 17-31 and lines 45-55, and col. 14, lines 36-39); and loading the data from the staging tables into the business database system based on semantic definitions provide in the instructions (col. 4, lines 60-67 and col. 9, lines 29-37). Anand did not teach staging tables but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have staging tables and to modify in Anand and in view of Anand's teaching of relational tables in the data warehouse and because such a modification would allow Anand to map some company specific information to a customer's data warehouse and to store the information in a set of relational tables.

With respect to claims 136, 144, and 152, Anand teaches, building aggregate tables according to the instructions (col. 15, lines 34-55).

With respect to claims 137, 145, and 153, Anand teaches, receiving further instructions from a user to define a query mechanism (col. 11, lines 34-55) and generating queries according to the further instructions (col. 13, lines 33-67 and col. 14, lines 40-49). Papierniak discloses receiving further instructions from a user to define a query mechanism (col. 14, lines 63-67 and col. 1-5) and generating queries according to the further instructions (col. 2, lines 10-33).

With respect to claims 138, 146, and 154, Anand teaches, generating reports according to the instructions (col. 14, lines 55-67 and col. 15, lines 1-14).

With respect to claims 139, 147, and 155, Anand teaches, receiving a modification of the metadata schema (col. 2, lines 1-9) and automatically adjusting the business database system according to the modification (col. 2, lines 9-16, col. 3, lines 48-55, and col. 9, lines 60-65). Papierniak discloses receiving a modification of the metadata schema (col. 22, lines 60-67 and col. 23, lines 1-3) and automatically adjusting the business database system according to the modification (col. 23, lines 4-38).

With respect to claims 140, 148, and 156, Anand teaches, the instructions provide semantic definitions (col. 10, lines 30-37) and the business database system is automatically generated using the semantic definitions such that the business database system is well-formed (col. 17, lines 6-27 and col. 18, lines 38-61).

With respect to claims 157, 159, 161, and 164, Anand teaches, further comprising loading data into the business database system according to the instructions contained in the metadata schema (col. 4, lines 19-28).

With respect to claims 158, 160, 162, and 165, Anand teaches, further comprising operating on the business database system according to the instructions contained in the metadata schema (col. 7, lines 16-25).

(11) Response to Arguments

Prior to providing individual responses to each of the arguments, the Examiner notes the following: The invention as claimed in each of the pending claims is directed to providing a metadata system including a metadata schema, entering user instructions into the metadata schema, and generating a well-formed database system according to the instructions that are entered into the metadata schema. The Anand et al reference classified in class 707, subclass 5 and the Papierniak et al reference classified in class 707, subclass 104.1 of the U.S Patent classification system, are the most relevant areas of search for a metadata system including a metadata schema, entering user instructions into the metadata schema, and generating a well-formed database system according to the instructions that are entered into the metadata schema.

For all of the issues please refer to the rejection.

In response to Appellants' argument no. 1, page 10, paragraph 2: Appellants' respectfully submit that Anand and Papierniak, either alone or in combination, neither disclose neither disclose nor suggest "automatically generating the business database system according to the instructions contained in the metadata schema such that the business database system is "well-formed", as recited in claim 133.

It is inherent that the business database is "well-formed" (has rules of correctness). If there were not rules of correctness the results would be extraneous results.

Anand fails to teach a business database system. However, Papierniak does teach a business database system in col. 5, lines 39-59, col. 15, lines 11-25, col. 17, lines 52-65, and shown in fig. 8 (302, 312) and fig. 9. Papierniak shows different relationships, a data table, a linking/fact table, metadata, and a web warehouse in fig. 17, and has a business rules and integrity (which has to have rules of correctness –col. 22, lines 60-67). In col. 24, lines 5-62 discusses business rules, values, primary and foreign keys, table relationships. It is inherent that two columns related by a relational join would be from the same domain. The Anand reference has metadata and a business subsystem and a data warehouse environment. It is interpreted that Anand and Papierniak teach Applicants' claimed invention.

In conclusion: Under section 103 (a) of Title 35 of the United States Code, the Examiner carefully drew up a correspondence between each of Applicants' claimed limitations, what is know to one having ordinary skill in the art at the time the invention was made, and one or more referenced passages in Anand and Papierniak.

The Examiner is entitled to give the claim limitations their broadest reasonable interpretation in light of the Specification (see below):

2111 Claim Interpretation; Broadest Reasonable Interpretation [R-1]

>CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE INTERPRETATION

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPO 541,550-51 (CCA 1969)<.

Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for Official communications and 703-746-5622 for Unofficial communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

E. Colbert

October 10, 2003

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